



Order Filed on May 4, 2018 by
Clerk U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

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In Re:

**FRANCISCUS MARIA DARTEE and
MARGARETHA DARTEE,**

Debtors.

Case No.: 17-33247-JKS

Chapter: 13

Hearing Date: May 1, 2018

Judge: John K. Sherwood

Recommended Local Form:

☒ Followed

☐ Modified

ORDER VACATING STAY

The relief set forth on the following page, is hereby **ORDERED**.

DATED: May 4, 2018

A handwritten signature of John K. Sherwood is written over a horizontal line.

Honorable John K. Sherwood
United States Bankruptcy Court

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Debtors: Franciscus Maria Dartee and Margaretha Dartee

Case No.: 17-33247-JKS

Caption of Order: **Order Vacating Stay**

Upon the motion of THE BANK OF NEW YORK MELLON CORPORATION AS TRUSTEE FOR STRUCTURED ASSET MORTGAGE INVESTMENTS II INC. MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-AR7 ("Secured Creditor") under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue Secured Creditor's rights in regard to the following:

☒ Real property more fully described as:

12 Moonshadow Court, Kinnelon, New Jersey 07405.

It is further ORDERED that Secured Creditor, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu of foreclosure. Additionally, any purchaser of the property at sheriff's sale (purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

It is further ORDERED that Secured Creditor may join the Debtors and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other Chapter of the Bankruptcy Code.

Secured Creditor shall serve this Order on the Debtors, any trustee, and any other party who entered an appearance on the motion.